

#### IV. REMARKS

Claims 1-10 are pending in this application. By this amendment, claims 1 and 6 have been amended; claim 3 is cancelled; and, claim 11 has been added. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Furthermore, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, an informality is objected to in the disclosure related to the use of the phrase “is used to” on page 9. In response Applicant has amended the specification to address the informality. Accordingly, Applicant respectfully requests withdrawal of the objection.

In the Office Action, replacement sheets submitted previously on May 2, 2006, are accepted. Further, Applicant concurs with the Office’s statement that Applicant inadvertently misstated reference number 18 to be reference number 17 in the “Remarks” section of the previously submitted Amendment, of May 2, 2006. As correctly indicated in the accepted replacement sheet, Figure 1 includes, *inter alia*, added reference number 18.

In the Office Action, claims 9 and 10 are allowable. Applicants gratefully acknowledge the allowance of subject matter.

In the Office Action, claim 3 is allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Applicant has rewritten claim 1 to incorporate the limitations of claim 3. Accordingly, Applicant respectfully contends that claim 1, as amended, and dependent claims 2-5 are in condition for allowance.

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Venema (US Patent No. 4,633,168), hereinafter “Venema”. Claim 5 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Venema. Claims 6-8 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Venema in view of Sase *et al.* (US Patent No. 6,798,180), hereinafter “Sase”.

With respect to independent claim 6, Applicants submit that both Venema and Sase fail to disclose each and every feature of the claimed invention, including “wherein the current source for the modulation ramp circuit is adjustable and the current source for the reference ramp circuit is constant.” (*See* claim 6.)

Applicant respectfully contends that Venema only discloses a single circuit with a single current source (*i.e.*, D-C power supply 10) and that clearly there are not two distinct current sources (*i.e.*, fixed and adjustable) in Venema, as in the claimed invention. *See e.g.*, Figure 1. The Office is alleging that the disclosure for both a matched reference and modulation ramp circuits in Venema are “ $V_s/R_1$  and  $V_s/R_2$ ” in Figure 1. Office Action, page 7, item 11. Clearly, as Figure 1 of Venema shows, there is only the single current source D-C power supply 10 which is, *inter alia*, not an adjustable current source.

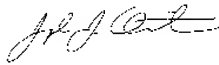
Accordingly, Applicant submits that Venema fails to disclose each and every element of claim 6, and respectfully requests withdrawal of the rejection. Further, Sase does not remedy these glaring deficiencies in Venema.

With respect to dependent claims 7 and 8 Applicant submits that these claims are allowable based on their dependency from allowable independent claims. The dependent claims are also believed to be allowable based for their own additional features.

## V. CONCLUSION

In light of the above remarks, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,



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Joseph J. Christian  
Reg. No.: 51,560

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)